

# EXHIBIT 23

UNITED STATES DISTRICT COURT  
 WESTERN DISTRICT OF VIRGINIA  
 CHARLOTTESVILLE DIVISION

ELIZABETH SINES, et al.,

No. 3:17-cv-72

Plaintiffs,

Charlottesville, Virginia

vs.

January 4, 2019

2:04 p.m.

JASON KESSLER, et al.,

Defendants.

TRANSCRIPT OF TELEPHONIC MOTION HEARING  
 BEFORE THE HONORABLE JOEL C. HOPPE  
 UNITED STATES MAGISTRATE JUDGE.

APPEARANCES:

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1 with the order, I guess in particular for Mr. Ray and Mr. Heimbach  
2 on the certifications?

3 MS. TENZER: I don't know if we're going to address that  
4 in the motion to withdraw. Those are still outstanding --

5 THE COURT: All right.

6 MS. TENZER: -- those certifications.

7 THE COURT: Mr. Kolenich, what is the status of those?

8 MR. KOLENICH: Judge, as I think I emailed to chambers,  
9 Mr. Heimbach's response to the last court order was to terminate my  
10 representation. So he has fired myself and Mr. Woodard and forbid  
11 us to take any actions on his behalf. The Court will also note  
12 that he hasn't called in today, even though I did transmit the time  
13 and call-in information. So that's the status on Heimbach.

14 Mosely's status is well-known to the Court.

15 Mr. Ray's information, that is on me. I haven't  
16 completed getting that information from Mr. Ray yet. He is fully  
17 cooperating with the process. And we'll get that just as soon as  
18 possible. And, of course, the contract issue, the statement of  
19 work, is a separate issue. And we'll take that up with Ms. Tenzer.

20 THE COURT: Where -- Mr. Kolenich, it is news to me that  
21 Heimbach has terminated your representation. I don't recall seeing  
22 that.

23 MR. KOLENICH: Sorry, Your Honor. I emailed it -- I  
24 thought I did -- to chambers. Maybe I sent it to the wrong one; I  
25 don't know. I deal with many federal courts. But Mr. Heimbach did